IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTY FIRST DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 15563 of 2004

Between:

Gajjula Venkata Siva Reddy, S/o G. Sambi Reddy,

R/o EWSI, Phase I, Dharma Reddy Colony, Kukatpally Housing Board, Kukatpally, Hyderabad.

..... PETITIONER

AND

1 Bank of Maharashtra, Regional Office, Bank Street, Hyderabad,
rep. by its Chief Manager, O/o the Regional Office.
2 The Disciplinary Authority & Asst. General Manager,

Bank of Maharashtra, IR and HRD,Lokmangal,
1501, Shivajinagar, PUNE - 411 005.
3 The Bank of Maharashtra, Lokmangal, 15-1, Shivajinagar, Pune - 411 004,
rep. by its Chairman and Managing Director.
4 Sri S.C. Basu, Chairman and Managing Director,
Bank of Maharashtra, Lokmangal, 1501, Shivajinagar, PUNE - 411 005.
5 Sri V.K. Bahulekar, Enquiry Officer, Presently working as Asst. General Manager,
Bank of Maharashtra, O/o the General Manager,

Circle Office South, 25/3, Lavelle Road, Bangalore - 560 0011
6 The Deputy General Manager (Personnel) Appellate Authority,
Bank of Maharashtra, Lokmangal, 1501, Shivajinagar, PUNE - 411 005.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to call for records relating to and in connection with the impugned proceeding No. AX1/IST/DM/F. 1441/391/2004/266 dt. 17-8-2004 issued by the 2nd respondent imposing a punishment of compulsory retirement from service on the petitioner me and quash the same as one without jurisdiction, passed in violation of principles of natural justice, devoid of reasons unreasonable and arbitrary, offending Article 14 of the Constitution of India and quash the same by way of issuance of a writ, order or direction, one more particularly in the nature of Writ of Certiorari and consequentially direct the respondents to continue the petitioner in service with all consequential benefits.

Counsel for the Petitioner: MR.S.SRI RAM

Counsel for the Respondents: --

The Court made the following:

ORDER:

The petitioner is working as a Branch Manager in the respondents Bank. A disciplinary action was initiated against the petitioner through the proceedings dated 18.03.2003, and after conclusion of the enquiry, the 2nd respondent passed the impugned order dated 17.08.2004, imposing penalty of compulsory retirement.

2. The petitioner, being aggrieved by the said order of the 2nd respondent, dated 17.08.2004, approached this Court through this writ petition praying to issue a writ of mandamus by way of quashing the said order on the ground that the order was issued without any jurisdiction and in violation of principles of natural justice.

3. Against the order of the disciplinary authority, a statutory appeal is provided to the 6th respondent. The petitioner without exhausting the remedy of statutory appeal approached this Court through this writ petition.

4. The writ petition is premature. Hence it is dismissed. The petitioner is given liberty to approach the 6th respondent by way of an appeal and get an order on merits.

dsr/svs

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1. The Chief Manager, O/o.the Regional Office,

Bank of Maharashtra, Regional Office,

Bank street, Hyderabad

2. The Disciplinary Authority & Asst.General Manager,

Bank of Maharashtra, IR and HRD, Lokmangal, 1501,

Shivajinagar, Pune-411 005

3. The Chairman & Managing Director,

The Bank of Maharashtra, Lokmanga, 1501,

Shivajinagar, Pune-411005.

4. The Dy.General Manager (Personnel)

Appellate Authority, Bank of Maharashtra,

Lokmangal, 1501, Shivajinagar, Pune-411005

5. Two CD copies.